

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-7193**

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CHARLES LEE DUDONIS,

Petitioner - Appellant,

versus

RONALD HUTCHINSON, Warden; ATTORNEY GENERAL  
FOR THE STATE OF MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. J. Frederick Motz, District Judge. (CA-  
02-565-1-JFM)

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Submitted: September 15, 2004

Decided: October 5, 2004

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Before TRAXLER, KING, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Charles Lee DuDonis, Appellant Pro Se. John Joseph Curran, Jr.,  
Attorney General, Mary Ann Rapp Ince, OFFICE OF THE ATTORNEY  
GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Charles Lee DuDonis seeks to appeal the district court's order denying his petition filed under 28 U.S.C. § 2254 (2000). The order is appealable only if a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(2000). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001).

We have independently reviewed the record and conclude that DuDonis has not made the requisite showing. Accordingly, we deny DuDonis' motion for a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED